

PTO/SB/21 (02-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/780,029
	Filing Date	February 9, 2001
	First Named Inventor	Tsiounis, Yiannis, et al.
	Art Unit	2876
	Examiner Name	LEE, Seung H.
Total Number of Pages in This Submission	Attorney Docket Number	TOLM0004

MAR 02 2004

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul Livesay Smyrski & Livesay, LLP
Signature	
Date	February 17, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,029	02/09/2001	Yiannis S. Tsiounis	TOLM0004	8448

7590 08/14/2003  
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EXAMINER

LEE, SEUNG H

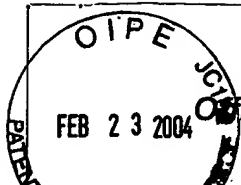
ART UNIT PAPER NUMBER

2876

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

MAR 02 2004



## Office Action Summary

Application No.

09/780,029

Applicant(s)

TSIOUNIS ET AL.

Examiner

Seung H Lee

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.                      6) ☐ Other:

Art Unit: 2876



### DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed on 14 May 2003, which has been entered in the file.

MAR 02 2004

### Claim Objections

2. Claim 14 is objected to because of the following informalities:

Re claim 14, line 1: The phrase "the user PIN" lacks proper antecedent basis.

Appropriate clarification and correction is required.

### Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 9, 11, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Takano (US 5,012,077).

Takano teaches a processing terminal (1) for conducting transaction wherein the terminal is capable of processing a credit card and a debit card in which the debit card processing is determined by reading the debit card information (e.g., the card

Art Unit: 2876

identification number) serving as a second card identification number, executing transaction such as transferring of money from the particular user's account assigned with an unique account number serving as a first card identification number to the store's account wherein the transferring of money is limited to the amount of user's account, connections between a card reader (40), CPU (10), and other devices within the terminal and an ECR/POS terminal serving as a second network whereas the connection between the terminal and banks serving as a first network, entering customer's secret number or personal identification number (PIN) (S13), an authorization of the transaction is determined by the amount of for each and every transaction wherein the valid transaction serving as a activation and invalid transaction serving as deactivation of the operation (see Figs. 1-6; col. 1, line 23- col. 2, line 5; col. 3, line 29- col. 6, line 5)

5. Claims 19, 20, and 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Abecassis (US 5,426,281).

Abecassis teaches a transaction protection system comprising a center (40) wherein the center having a card and limit verification system (41), transaction processing system (42), deposit information and control system (43) and payment system (44) which the card and limit verification is receiving information for a particular transaction (2209), debiting the amount of purchase from the user account, sending the payment to seller once the transaction is successfully completed, refunding the purchase amount to buyers if the transaction is not completed, printing deposit slips

Art Unit: 2876

wherein the seller signature is required for transaction (see Figs. 1-12; col. 4, line 64-col. 12, line 17).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano in view of Fukatsu (US 5,302,811).

The teachings of Takano have been discussed above.

Although, Takano teaches a method for using debit card for transaction with a PIN, he fails to teach or fairly suggest that the PIN is verified.

However, Fukatsu teaches a requesting user to enter password than transmitting the data associated with account number and password for checking account at the host computer, depositing/reloading the money to user account (see Figs. 16-19; col. 15, line 25- col. 20, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Fukatsu to the teachings of Takano in order to provide an improved security means for authenticating the card number with PIN that was provided by user, due to the fact that such modification is well known in

Art Unit: 2876

the art for accessing the account information such as banking account, a credit card account, a loan account, etc., and therefore an obvious expedient.

8. Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano as modified by Fukatsu, and further in view of Kano (US 4,808,802).

The teachings of Takano/Fukatsu have been discussed above.

In addition to the teachings of Fukatsu as discussed above, he also teaches that users can withdraw/deposit money from/to the account via POS terminal (see col. 18, lines 15-59). However, they fail to teach or fairly suggest that the numbers of attempts of depositing are predetermined.

Kano teaches a method of limiting numbers of attempts to access information and retrieving second PIN using a first PIN (see Figs. 1-4; col. 2, line 28- col. 5, line 38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known method of limiting numbers of attempts to access information as taught by Kano to the teachings of Takano/Fukatsu in order to prevent endless attempts of accessing information due to the fact that such modification would provide an user-friendly system means wherein system will readily useable for customers if certain number of attempts was made by a particular user without successful access. Moreover, such modification would provide an additional

Art Unit: 2876

security means for retrieving the second PIN for conducting user's request, and therefore an obvious expedient.

9. Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis.

The teachings of Abecassis have been discussed above.

Although, Abecassis teaches the transaction protection system comprising refunding the amount of purchase money after confirming the seller's failure of delivery products/goods, he fails to particularly teach that the refund message comprises a signature of seller for confirming of refund.

However, it would have been an obvious to one of ordinary skill in the art at the time the invention was made to include the signature of the seller for validating the refund process since a signature is known for one of authorizing/acknowledging of decision made by signee, in this case, the seller is confirming the failure of delivery and authorizing refund of amount, and therefore an obvious expedient.



**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Payne et al. [US 5,715,314], Slater [US 6,098,053], White [US 4,630,201], Nakano et al. [US 5,845,260], Fleischl et al. [US 6,038,552] discloses a system for performing financial transaction,

Carrithers et al. [US 5,689,100] discloses a debit card system,

Risafi et al. [US 6,473,500] discloses a prepay card.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.


If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 308-5841 or (703) 308-7722.

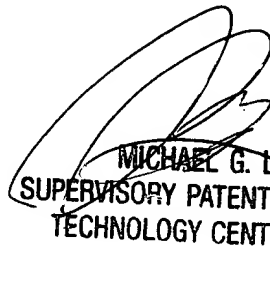
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

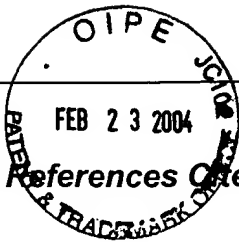
*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Art Unit: 2876

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Seung H. Lee  
Art Unit 2876  
August 6, 2003

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800



# **Notice of References Cited**

Application/Control No.

09/780,029

Applicant(s)/Patent Under  
Reexamination  
TSIOUNIS ET AL.

Examiner

Seung H Lee

Art Unit

2876

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,426,281	06-1995	Abecassis, Max	235/379
	B	US-4,808,802	02-1989	Kano, Mitsunari	235/380
	C	US-5,302,811	04-1994	Fukatsu, Kunio	235/380
	D	US-5,012,077	04-1991	Takano, Kimio	235/380
	E	US-5,715,314	02-1998	Payne et al.	705/78
	F	US-6,098,053	08-2000	Slater, Alan	705/44
	G	US-4,630,201	12-1986	White, Peter	705/44
	H	US-5,845,260	12-1998	Nakano et al.	705/26
	I	US-6,038,552	03-2000	Fleischl et al.	705/44
	J	US-6,473,500	10-2002	Risafi et al.	379/144.01
	K	US-5,689,100	11-1997	Carrithers et al.	235/380
	L	US-			
	M	US-			

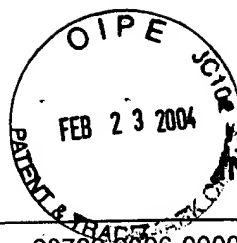
## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



OMB No. 0651-0011

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08729.0006-00000	Appln. No.	09/780,029				
Applicant				Yiannis Tsiounis, et al.			
Filing Date		February 9, 2001		Group:		2876	

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>GL</i>	5,794,207	08/11/98	Walker, et al.			
<i>GL</i>	5,883,810	03/16/99	Franklin, et al.			
<i>GL</i>	6,002,767	12/14/99	Kramer			

MAR 02 2004

Examiner Initial*	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
<i>GL</i>	EP 0 251 619 A2	01/07/88	EPO			
<i>GL</i>	EP 0 725 376 A2	08/07/96	EPO			
<i>GL</i>	GB 2 333 878 A	08/04/99	United Kingdom			
<i>GL</i>	WO 97/04411	02/06/97	PCT			
<i>GL</i>	WO 98/14921	04/09/98	PCT			
<i>GL</i>	WO 98/58345	12/23/98	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)


Examiner	<i>[Signature]</i>	Date Considered	<i>3/6/03</i>
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		
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